

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

SPORTS SHINKO CO., LTD.,)	CV 04-00124 BMK
)	CV 04-00127 BMK
Plaintiff,)	
)	CONSOLIDATED CASES
vs.)	
)	DECLARATION OF JASON H.
QK HOTEL, LLC, et al.,)	KIM
)	
Defendants,)	
)	
and)	
)	
FRANKLIN K. MUKAI, et al.,)	
)	
Third-Party Plaintiffs,)	
)	
vs.)	
)	
SPORTS SHINKO (USA) CO.,)	
LTD., et al.,)	
)	
Third-Party)	
Defendants,)	
)	
and)	
)	
SPORTS SHINKO (HAWAII) CO.,)	
LTD., et al.,)	
)	
Third-Party Defendants/)	
Counterclaimants,)	
)	
vs.)	

QK HOTEL, LLC, et al.,
Third-Party Counterclaim
Defendants.
AND CONSOLIDATED CASES

DECLARATION OF JASON H. KIM

I, Jason H. Kim, declare as follows:

1. I am counsel for Plaintiff Sports Shinko Co., Ltd. (“SS Japan”) as well as various related Third-Party Defendants / Third-Party Counterclaimants in this matter. I make this declaration based on personal knowledge.

2. On November 2, 2007, SS Japan filed and served its Motion to Strike Declaration of Roger H. Epstein, Filed October 19, 2007 in Support of the KG Parties' Motion for Partial Summary Judgment, Filed May 10, 2007 ("Motion to Strike").

3. The Motion to Strike seeks to strike a declaration submitted in support of the KG Parties' Motion for Partial Summary Judgment, currently set for hearing on November 16, 2007 at 2:30 pm.

4. If this application to shorten time is not granted, the Motion to Strike may be rendered moot as the Motion for Partial Summary Judgment may be heard and decided with reference to the improper declaration that SS Japan seeks to strike.

5. Shortening time for hearing on the Motion to Strike would also serve judicial economy, as the Motion to Strike and the Motion for Partial Summary Judgment raise related issues.

6. Because the declaration that the Motion to Strike challenges was served on October 19, 2007, it was not possible for SS Japan to prepare and file a motion to strike 28 days prior to the hearing on the Motion for Partial Summary Judgment (which, at that time, was set for October 31, 2007).

7. Thus, SS Japan requests that the hearing on its Motion to Strike be set for November 16, 2007 at 2:30 pm.

I swear that the foregoing is true under penalties of perjury.

EXECUTED: Honolulu, Hawai'i, November 2, 2007.

/s/ Jason H. Kim
JASON H. KIM